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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,878	05/30/2001	John L. Coker	SIEB017/01US	4488

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PERKINS COIE LLP
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EXAMINER

NGUYEN BA, HOANG VU A

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 06/12/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

2B

2B

Office Action Summary

Application No.

09/866,878

Applicant(s)

COKER ET AL.

Examiner

Hoang-Vu A Nguyen-Ba

Art Unit

2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

22

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicants' submission filed on April 02, 2003 has been entered.
2. Per Applicants' request, claims 1-31 have been canceled and new claims 32-42 have been added. Claims 32-42 are now pending.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. § 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
4. Claims 35-42 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically, claims 35-42 recite the following limitations:

“...a plurality of **edges**, each edge identifying (1) a source answer for a source question and (2) a destination question, ...” (claim 35);

“... definitions of a plurality of **edges**, each specified edge definition defining an edge that maps from one or more questions...” (claims 37 and 42).

There appears to be no support for these limitations in the specification.

Claim Rejections – 35 U.S.C. § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 32-34 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,131,085 to Rossides.

Claim 32

Rossides discloses at least (see at least Figures 30B, 30C and related discussion in the specification):

a plurality of question substructures (e.g., Q, MS-Q1, MS-Q1A, MS-Q2, MS-Q2A, MS-Q2B, MS-Q2C, MS-Q3), *each question substructure*:

being identified by a question substructure identifier (e.g., Q, MS-Q1, MS-Q1A, MS-Q2, MS-Q2A, MS-Q2B, MS-Q2C, MS-Q3),

specifying a question to be asked of the respondent (e.g., “For Tech Support?”, “For Inkjets?”, “What’s a 1-800 Number for IBM?”, etc.), *and*

containing one or more answer substructure identifiers each identifying an answer substructure (e.g., MS-Q1, MS-Q1A, MS-Q2, MS-Q2A, MS-Q2B, MS-Q2C, MS-Q3), ; and

a plurality of answer substructures (e.g., MS-Q1, MS-Q1A, MS-Q2, MS-Q2A, MS-Q2B, MS-Q2C, MS-Q3, "800-333-4444", 3042, 3044, 3046), each answer substructure

being identified by an answer substructure identifier (e.g., Q, MS-Q1, MS-Q1A, MS-Q2, MS-Q2A, MS-Q2B, MS-Q2C, MS-Q3),

specifying an answer anticipated from the respondent in response to question substructures containing the answer substructure identifier of the answer substructure (e.g., "For Tech Support?", "For Inkjets?", "What's a 1-800 Number for IBM?", etc.), and

containing a question identifier identifying the next question to be asked of the respondent if the specified answer is received from the respondent (e.g., MS-Q1, MS-Q1A, MS-Q2, MS-Q2A, MS-Q2B, MS-Q2C, MS-Q3).

Claim 33

Rossides discloses at least (see at least Figures 30B, 30C and related discussion in the specification):

content of a first question (e.g., "What's IBM's Phone Number?");

content of a first answer to the first question (e.g., "What's a 1-800 Number for IBM?");

content of a second answer to the first question (e.g., "For Tech Support?");

information uniquely identifying a second question that is to be posed if, when the first question is posed, the first answer is given (e.g., MS-Q2); and

information specifying a query that, when executed, generates information uniquely identifying a third question to be posed if, when the first question is posed, the second answer

is given (e.g., 3041, 3043, 3045).

Claim 34

Rossides discloses at least (see at least Figures 30B, 30C and related discussion in the specification): °

posing a first question specified by the interaction script (e.g., “What’s IBM’s Phone Number?”);

receiving a response to the posed first question (e.g., “What’s a 1-800 Number for IBM?”);

identifying among a first and second response specified by the interaction script a specified response matching the received response (e.g., MS-Q2);

if the first specified response is identified as matching the received response, posing a second question based upon identification by the interaction script of the second question in connection with the first specified response (e.g., 3040); and

if the first specified response is identified as matching the received response:
executing a database query specified by the interaction script in
connection with the second specified response to identify a third question (e.g., transition from
3040 to 3041, 3043, 3045), and
posing the identified third question (e.g., content of 3041, 3043, 3045).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant’s disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Hoang-Vu “Antony” Nguyen-Ba, whose

telephone number is (703) 305-0103. The examiner can normally be reached on Monday - Thursday from 6:30 – 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached at (703) 308-4789.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Fax Numbers:

After Final Amendment	(703) 746-7238
Official	(703) 746-7239
Customer Service	(703) 746-7240
Examiner's Assigned Fax Number	(703) 746-5426



Hoang-Vu "Antony" Nguyen-Ba
June 9, 2003